

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

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UNITED STATES OF AMERICA,)	
)	No. 1:18-cr-10154-DPW-1
)	
v.)	
)	
FRANCIS M. REYNOLDS,)	
)	
Defendant.)	
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**DEFENDANT FRANCIS M. REYNOLDS' MOTION TO DISMISS COUNT THREE OF
THE SUPERSEDING INDICTMENT**

Defendant Francis M. Reynolds respectfully moves this Court to dismiss count three of the Superseding Indictment pursuant to Fed. R. Crim. P. 12(b)(3). The allegations in count three fail to state an offense. The specific grounds for this motion are detailed in the accompanying Memorandum of Law.

LOCAL RULE 7.1(a)(2) STATEMENT

Pursuant to Local Rules 112.1 and 7.1(a)(2), the government has informed the undersigned counsel that it opposes the granting of this motion.

Dated: May 6, 2019

Respectfully submitted,

/s/ David L. Axelrod

David L. Axelrod (admitted *pro hac vice*)

R. Stephen Stigall (admitted *pro hac vice*)

BALLARD SPAHR LLP

1735 Market Street, 51st Floor

Philadelphia, PA 19103-7599

T: 215.665.8500

axelrodd@ballardspahr.com

stigalls@ballardspahr.com

Attorneys for Defendant Francis M. Reynolds

CERTIFICATE OF SERVICE

I hereby certify that on May 6, 2019, a true copy of the above document was served via electronic means using the Court's Electronic Case Filing (ECF) system upon all registered ECF users and a true paper copy was served by first class mail on nonregistered parties.

/s/ R. Stephen Stigall
R. Stephen Stigall